



## Code Enforcement Plays Major Role in Floodplain Management

### Full Mitigation Best Practice Story

#### *Rock Island County, Illinois*

**Rock Island County, IL** - In a county that has a history of flooding and nearly 150,000 residents, enforcing building codes, zoning codes, floodplain ordinances, property maintenance codes, and trying to convince residents to adhere to sound building practices can be a tough job. However, it's a feat that the local Zoning and Building Director and inspectors have managed successfully by being consistent and persistent.



"Rock Island County has 13,000 parcels and 600 miles of road, and approximately 1,400 parcels are located in the floodplain," said Ray Nees, Director of Zoning and Building. "In order for floodplain management to work, the local official has to take a 'hard nose' stance."

With the Mississippi River to the north and west and the Rock River flowing through the center, the county is vulnerable to floods. In June 2008, flooding caused by severe storms resulted in a major disaster declaration for the State of Illinois, which directly impacted 25 counties. Damage in Rock Island County was minimal, partly due to Nees' floodplain management strategies.

Nees assumed the role of Zoning Investigator in 1995. To his dismay, flooding was the contributing factor for more than 85 repetitive loss properties in the county. His goal was to minimize the effects of flooding and save taxpayer dollars. The key: take mitigation measures seriously. By the middle of 2005, the number of repetitive loss properties had been cut in half despite floods reaching all time record depths. Nees estimates that without mitigation, the number of repetitive loss properties would be well over 200 today.

"Mitigation projects are probably the most effective steps somebody at the local level can take to save taxpayer dollars," said Nees. "We've done buyouts, and we've recommended elevations. At one point we had nine houses at once being elevated on Campbell's Island."

There is no preferential treatment when it comes to code enforcement. Everyone is expected to adhere to them. "We have done buyouts for insured flood victims, and we enforce the same regulations on those people who don't have insurance," said Nees.

While empathetic to flood victims' plight, Nees manages to remain steadfast in enforcing regulations. "If I allow a poor family to move back into a home that has not been cleaned and elevated, then not only am I endangering their health, I am allowing their entire family to be placed right back in harm's way. I won't be responsible for that," said Nees.

"The toughest part of a floodplain manager's job is when you've got to tell someone, whose property has been declared substantially damaged, that you [the property owner] must elevate your home or tear it down," said Nees. "Yet, you have to be tough about it and get flood victims to put themselves in a better situation."

Funding for mitigation projects came from various sources. Following the 1993 disaster declaration, Rock Island received \$4,568,528 for acquisition projects through the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP). The HMGP provides funding to State and local governments to implement long-term hazard mitigation measures after a major disaster declaration. FEMA can fund up to 75 percent of the eligible costs of each project.

Rock Island County has used private funding, HMGP, Pre-Disaster Mitigation (PDM) funding, other state agency funding, and the Increased Cost of Compliance (ICC) provision of FEMA's National Flood Insurance Program (NFIP) policies to mitigate flood-prone structures.

A firm advocate of the benefits of ICC coverage, Nees managed to mitigate more than 50 substantially damaged properties in a three-year period. "Substantial damage" refers to any damage sustained by a structure whereby the cost of restoring it to its pre-damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

ICC coverage is one of several resources for flood insurance policyholders that need additional help rebuilding after a flood. When a building is declared to be substantially or repetitively damaged, ICC will provide up to \$30,000 to bring the building into compliance with State or community floodplain management laws or ordinances. Coverage is a part of most standard flood insurance policies available under NFIP.

To be eligible for ICC coverage, the building must meet one of two conditions: it must have been either (1) determined to be substantially damaged by a local building official or (2) meet the criteria of a repetitive loss structure. Repetitive loss means that a building covered by flood insurance incurred flood-related damage two times over a 10-year period; and that the cost of repairs was, on the average, at least 25 percent of the market value of the building before the damage occurred, each time. This applies only if the community has adopted a repetitive loss provision in the local floodplain ordinance.

“Any floodplain manager who is not using ICC is completely missing the boat,” said Nees. “It is one of the least time-consuming mitigation projects that any floodplain manager can undertake.”

Continued Nees, “The way I look at it, every time I can get a house in compliance, after the next flood, I’ll have less to do.”

Nees has received calls from area residents whom he had to literally force into taking mitigation measures. Callers would advise him of their initial feelings regarding code enforcement then would recant it by stating they were now happy with the outcome.

“The only time you get any kudos is when, several years after a house is elevated, the property is flooded again,” said Nees. “People have sent me cards or come by my office and said, ‘When you told me how high I had to go, I thought you were nuts.’ They show me a picture of what their house looks like and they point out there is no flood damage this time. And then they say ‘Thank you.’”

#### Activity/Project Location

Geographical Area: **Single County in a State**

FEMA Region: **Region V**

State: **Illinois**

County: **Rock Island County**

City/Community: **Andalusia; Moline; Rock Island**

#### Key Activity/Project Information

Sector: **Public/Private Partnership**

Hazard Type: **Flooding**

Activity/Project Type: **Acquisition/Buyouts; Elevation, Structural; Floodplain Management**

Structure Type: **Wood Frame**

Activity/Project Start Date: **09/1993**

Activity/Project End Date: **Ongoing**

Funding Source: **Hazard Mitigation Grant Program (HMGP); National Flood Insurance Program (NFIP); Pre-Disaster Mitigation (PDM); Private funds**

Funding Recipient: **Local Government**

Application/Project Number: **1830.2R**

### Activity/Project Economic Analysis

Cost: **Amount Not Available**

### Activity/Project Disaster Information

Mitigation Resulted From Federal  
Disaster? **Yes**

Federal Disaster #: **997 , 07/09/1993**

Federal Disaster Year: **1993**

Value Tested By Disaster? **Yes**

Tested By Federal Disaster #: **1771 , 06/24/2008**

Repetitive Loss Property? **No**

### Reference URLs

Reference URL 1: **<http://www.ready.illinois.gov>**

### Main Points

No Main Points were entered.



Ray Nees, Zoning and Building Director, reviews map of floodplain in Rock Island County



Elevation project in Rock Island